

REMARKS

Claims 1-27 are pending. The Office Action rejects Claims 1-3, 6-7, 9, 12-15, 18-20, 22-24, and 26 under 35 U.S.C. § 102(e) as being anticipated by U.S. Pat. App. Pub. No. 2004/0137893 to Muthuswamy et al. ("Muthaswamy"). Claims 4-5 and 16 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Muthuswamy in view of U.S. Pat. No. 7,103,367 to Adams et al. ("Adams"). Claims 8, 21, 25, and 27 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Muthuswamy in view of U.S. Pat. No. 5,734,978 to Hayatake et al. ("Hayatake"). Claims 10 and 11 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Muthuswamy in view of U.S. Pat. No. 6,813,487 to Trommelen ("Trommelen"). Claim 17 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Muthuswamy in view of U.S. Pat. No. 5,748,084 to Isikoff ("Isikoff").

Applicants have amended several claims in the above listing of amended claims in order to more particularly and distinctly claim embodiments of the invention. The amendments are fully supported by the originally filed specification. Claims 10 and 27 have been canceled. New Claims 28-31 have been added and are fully supported by the originally filed specification. In light of the amendments and subsequent remarks, Applicants respectfully submit that the claims are in condition for allowance.

Note on Priority

The Office Action sets forth a request to insert a reference to the priority application in the specification or in an application data sheet. The instant application is a national phase entry of International Patent Application Number PCT/IP2005/000333, which claims priority to United States Patent Application Serial Number 10/783,617. Accordingly, the specification has been amended to reflect the priority claim to International Patent Application Number PCT/IP2005/000333 and to United States Patent Application Serial Number 10/783,617.

The Rejection of Independent Claims 1 and 24 under §102 is Overcome

Amended independent Claim 24 is directed to a method comprising receiving, at a mobile device, a disable signal from a remote location. The method further comprises extracting information from the disable signal. The method additionally comprises disabling at least one functionality of the mobile device based at least in part on the extracted information. The method also comprises, in an instance in which the extracted information indicates a tracking function is to be activated to facilitate locating the mobile device, determining a tracking function to activate based at least in part on the extracted information, the tracking function being selected based at least in part on one or more of a time that has passed since the apparatus was lost or stolen or a location in which the apparatus was lost or stolen; and activating the determined tracking function. Amended Claim 1 is directed to an apparatus and includes recitations substantially similar to Claim 24 insofar as this discussion is concerned.

In this regard, amended Claims 1 and 24 recite, in an instance in which the extracted information indicates a tracking function is to be activated..., determining a tracking function to activate based at least in part on the extracted information. The tracking function is recited to be selected based at least in part on one or more of a time that has passed since the apparatus was lost or stolen or a location in which the apparatus was lost or stolen. Muthaswamy does not teach or suggest this feature. Moreover, none of the other cited references, taken alone or in combination, cure the deficiencies of Muthaswamy. For example, Trommelen, which is alleged on page 12 of the Office Action to disclose “a system that determines a geographic location of a lost or stolen mobile device,” does not teach or suggest determining and activating a tracking function selected based at least in part on one or more of a time that has passed since the apparatus was lost or stolen or a location in which the apparatus was lost or stolen.

Accordingly, Claims 1 and 24 are patentably distinct from the cited references, taken alone or in combination, such that the rejection is overcome. Applicants further respectfully submit that Claims 1 and 24 are in condition for allowance.

The Rejection of Independent Claim 15 under §102 is Overcome

Independent Claim 15 is directed to a method comprising receiving a request to

disable at least one functionality of a mobile device. The method further comprises determining a tracking function to activate on the mobile device, the tracking function being selected based at least in part on one or more of a time that has passed since the mobile device was lost or stolen or a location in which the mobile device was lost or stolen. The method additionally comprises causing a disable signal to be broadcast to the mobile device, the disable signal comprising information configured to cause the mobile device to disable at least one functionality and activate the determined tracking function responsive to the disable signal.

Accordingly, Claim 15 has been amended to recite determining a tracking function selected based at least in part on one or more of a time that has passed since the mobile device was lost or stolen or a location in which the mobile device was lost or stolen. None of the cited references, taken alone or in combination, teach or suggest this feature for at least those reasons discussed with respect to Claims 1 and 24. Applicants therefore respectfully submit that Claim 15 is patentably distinct from the cited references, taken alone or in combination, such that the rejection is overcome. Applicants further respectfully submit that Claim 15 is in condition for allowance.

The Rejection of the Dependent Claims is Overcome

Because each of the dependent claims includes each of the recitations of a respective independent base claim, Applicants further submit that the dependent claims are patentably distinguishable from the cited references, taken alone or in combination, for at least those reasons discussed above. Accordingly, applicants respectfully submit that the rejections of the dependent claims are overcome and the dependent claims are in condition for allowance.

New Claims 28-31 are in Condition for Allowance

New Claim 28 is directed to an apparatus and, though having its own distinct scope, recites features substantially similar to those of Claim 15. Accordingly, Applicants respectfully submit that Claim 28 is patentably distinct from the cited references, taken alone or in combination, and in condition for allowance for at least

those reasons discussed with respect to Claim 15.

Claim 29 depends from Claim 28 and thus includes each of the recitations of Claim 28. Accordingly, Claim 29 is patentably distinct from the cited references, taken alone or in combination, and in condition for allowance for at least the same reasons as Claim 28.

Claims 30 and 31 depend from Claims 15 and 24, respectively and thus include each of the recitations of their respective independent base claims. Accordingly, Claims 30 and 31 are patentably distinct from the cited references, taken alone or in combination, and in condition for allowance for at least the same reasons as their respective base claims.

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CONCLUSION

In view of the amended claims and remarks presented above, it is respectfully submitted that all of the present claims of the present application are in condition for immediate allowance. It is therefore respectfully requested that a Notice of Allowance be issued. The Examiner is encouraged to contact Applicants' undersigned attorney to resolve any remaining issues in order to expedite examination of the present application.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,



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